



PATENT

Doc. No.:POR1000.02A1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert Austin Porter
Serial No.: 10/609,114
Filed: June 27, 2003
For: Apparatus and method for automatically
grading and inputting grades to electronic
gradebooks

Examiner: Victor Cheung

Art Unit: 3714

1.132 DECLARATION

Sacramento, CA 95608

Commissioner of Patents and Trademarks
Washington, D. C. 20231

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class
Mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on April 28, 2008

By: _____

James M. Ritchey
Reg. No. 32,594

Dear Sir:

I, Richard A. Carey declare as follows:

1. I am an educational technology consultant and product developer and was asked by Richard Porter to participate in an evaluation of the GradeCam invention.

2. I have a Bachelor of Arts degree with a concentration in Cinema and Education from Goddard College, and have been working in the educational media, technology and publishing markets since 1972.

3. I am currently based in Brooklyn, NY and have worked for and with educational technology companies across the US and in the United Kingdom.

4. Currently I am self-employed as a consultant and contract developer. Previously I have been employed as a director of educational software, technology and media product development by Pearson Education, Scholastic, Houghton Mifflin, and have performed contract, consulting and freelance product development work for many other companies in the education, consumer media and business media markets.

5. On April 23, 2008 I set up the GradeCam and its associated software in my office and tested its ability to capture, input and evaluate answers to a multiple choice test on "bubble forms" – multi-question forms where the test subject fills in a circle corresponding to the correct answer.

The results from my test were impressive. The GradeCam system was easy to set up and use and functioned as promised. It was also very fault-tolerant, an important attribute for use in the classroom. I tested the GradeCam with the camera in a fixed position on its stand and hand-held, with even lighting and with uneven lighting, and the data was captured and interpreted correctly in each case.

6. Although there are many devices in the market for capturing, scoring and interpreting student test data, including a variety of optical and mechanical scanners, hand held infrared controllers and personal digital assistants, I am not aware of nor have I seen a test scoring device that works the same way. Further, accurately reading such a form at a wide range of orientations and distortions can

not be accomplished using any existing software or hardware that I know of.
Therefore, I do not consider this to be a trivial extension of an existing technology
but a unique method of test result scoring.

7. I further declare further that all statements made herein of my own
knowledge, experience and belief are believed to be true and, further, that these
statements were made with the knowledge that willful false statements and the
like so made are punishable by fine or imprisonment, or both, under 18 USC §
1001 and that such false statements may jeopardize the validity of this document
and the application to which it relates.

Signed: _____

this 25th day of April, 2008.

By: Richard A. Carey

Managing Director

Richard Carey Associates – Digital Media Solutions for Learning

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